

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 809
94TH GENERAL ASSEMBLY

Reported from the Committee on Transportation, February 21, 2008, with recommendation that the Senate Committee Substitute do pass.

3492S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 226, RSMo, by adding thereto one new section relating to billboards.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 226, RSMo, is amended by adding thereto one new section, to be known as section 226.541, to read as follows:

226.541. 1. As used in this section, the following words or phrases mean:

(1) "Conforming out of standard signs", signs that fail to meet the current statutory and administrative rule requirements for outdoor advertising but currently comply with the terms of the federal/state agreement and meet the August 27, 1999, statutory and administrative rule requirements that governed outdoor advertising and the highway beautification act of 1965;

(2) "Federal/state agreement", an agreement executed between the United States Department of Transportation and the state highways and transportation commission on February 22, 1972, for carrying out national policy relative to control of outdoor advertising in areas adjacent to the national system of interstate and defense highways and the federal-aid primary system;

(3) "Reset", movement of a sign structure from one location to another location on the same or adjoining property, as authorized by a sign permit amendment and the terms of an executed written partial waiver and reset agreement between the permit owner and the state highways and transportation commission.

2. Subject to the I-44/I-70 provisions under this section,

21 conforming out of standard signs shall be treated in all respects as
22 conforming signs under commission administrative rules, including
23 new display technologies, lighting, cutouts, and extensions, except that
24 such signs shall not be substantially rebuilt unless such sign complies
25 with the existing outdoor advertising regulations in affect on the date
26 the sign is rebuilt. New technology, lighting, cutouts, and extensions
27 may be utilized on conforming and conforming out of standard signs in
28 accordance with Missouri department of transportation regulations.

29 3. On the date the commission approves funding for any phase
30 or portion of construction or reconstruction of Interstate 70 or
31 Interstate 44, the rules in effect for outdoor advertising on August 27,
32 1999, shall be reinstated for that section of highway scheduled for
33 construction and there shall immediately be a moratorium imposed on
34 the issuance of state sign permits for new sign structures.

35 4. Owners of existing signs which meet the requirements for
36 outdoor advertising in effect on August 27, 1999, and the requirements
37 of the federal/state agreement and who voluntarily execute a partial
38 waiver and reset agreement may reset such signs on the same or
39 adjoining property. Such reset agreements shall be contingent upon
40 obtaining any required local approval to reset the sign structure. Any
41 sign which has been reset must still comply with the August 27, 1999,
42 outdoor advertising regulations after it has been reset.

43 5. Owners of existing signs who elect to reset qualifying signs
44 shall receive compensation representing the actual cost to reset the
45 existing sign. Signs which have been reset under these provisions must
46 be reconstructed of the same type materials and may not exceed the
47 square footage of the original sign structure.

48 6. Sign owners may elect to reset existing qualifying signs by
49 executing a partial waiver and reset agreement with the
50 commission. Such agreement shall specify the size, type and location
51 of the rebuilt sign and the reset expenses to be paid the owner by the
52 commission. In the event the owner fails to execute such an agreement
53 within one hundred twenty days of receiving written notice the sign
54 will be displaced by construction, the commission shall have the right
55 at its sole discretion to initiate normal condemnation procedures for
56 the compensated removal of the sign.

57 7. Immediately upon the completion of construction on any

58 section of Interstate 70 or Interstate 44, the moratorium on new permits
59 shall be lifted and the rules for outdoor advertising in effect on the
60 date the construction is completed shall apply to such section of
61 highway.

62 8. Local zoning authorities may prohibit the resetting of
63 qualifying signs which fail to comply with local regulations adopted
64 pursuant to this chapter, but local authorities which choose to prohibit
65 such resetting shall reimburse the commission the cost to condemn
66 such signs less the cost to reset the sign under the provisions in this
67 section.

68 9. All signs shall be subject to the biennial inspection fees
69 pursuant to section 226.550.

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Bill

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